



60 East 56<sup>th</sup> Street, 9<sup>th</sup> Flr,  
New York, NY 10022  
Tel: 212.758.3283  
Fax: 212.758.3453  
www.eagletelco.com

DOCKET FILE COPY ORIGINAL

96-45

September 19, 2002

Universal Service Administrative  
Company  
2120 L Street, NW  
Suite 600  
Washington, DC 20037

RECEIVED

APR 13 2003

To Whom It May Concern:

This is an appeal to your September 16 letter to Eagle Communications, Inc regarding Revision to original FCC Form 431 submission for 2000 reporting requirements.

Eagle Communications, Inc., is a New York based CLEC residing at 142 East 39<sup>th</sup> Street, New York, NY 10016, FCC Filer ID No. 821256.

In October 5, 2001, Eagle Communications, Inc., ("Eagle") filed a FCC Form 431 reporting its revenues for April 2000 through March 2001. Eagle incorrectly reported the intrastate revenues of \$4,163.454 as Interstate revenues. The corrected interstate amount for this period is \$102,209 or 2.4% of the overall revenues. Eagle's payments for the Universal Service Fund should have been of \$38.84 each month or \$466.08 for the year.

On August 28, 2002, I corrected this imbalance on Form 431. I was advised by the Jeff Henderson of NECA to file a 2001 FCC Form 499-A for the 2000 period.

On September 4, 2002, I mailed the revised report to NECA. The correct amount of \$102,209 was placed in the interstate line to be calculated with the FCC's factor for the Universal Service Fund fee. On September 6, 2002, NECA received revised 499-A (US Postal Service Register Return Receipt is postdated 9-6-2002),

On September 16, I received a letter from Universal Service Administrative Company ("USAC") rejecting the Form 499-A revision (for 2000 revenues) the reason of the rejection is that the revision was not filed within one year of the original submission.

rec'd

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I am appealing USAC's decision for the following reason: I realize that the original FCC Form 431 for 2000 period incorrectly reported intrastate revenues as interstate and that the revision was filed 11 months later. However, I do not believe Eagle should be penalized for a mistake made against it self. USAC should let the Revised FCC Form 499-A filed on September 16,2002 stand.

Attached you will find all of the documentation pertaining to the original filing and the revised FCC Form 499-A submitted on September 6,2002. In addition, I have included all US Postal Service register return receipts with marked date.

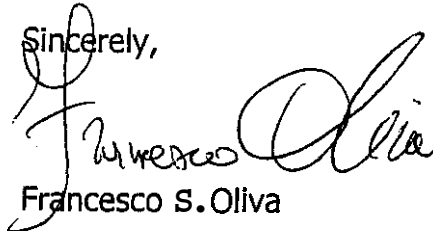
I am looking forward to an expedient and favorable response.

The forthcoming correspondence should be addressed to:

Eagle Communications, Inc.  
Francesco Oliva  
Manager – Regulatory Affairs  
142 East 39<sup>th</sup> Street  
New York, NY 10016

My reach number is 212.758.3283 ext. 3061 and my facsimile number is 212.758.3453.

Sincerely,

A handwritten signature in black ink, appearing to read "Francesco Oliva". The signature is fluid and cursive, with the first name "Francesco" written in a smaller, more compact script and the last name "Oliva" in a larger, more prominent cursive style. The signature is positioned above the printed name "Francesco S. Oliva".

Francesco S. Oliva

Attachments

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. *Also* complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

USAC  
2120 L St. N.W.  
Suite 600  
WASHINGTON, D.C. 20037

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

x *[Signature]*

☐ Agent☐ Addressee

## B. Received by (Printed Name)

*A. Williams*

## C. Date of Delivery

*9/23/02*

## D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes☒ No

## 3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☐ Yes2. Article Number  
(Transfer from service label)

7002 0860 0006 2254 7700



## Universal Service Administrative Company

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September 16, 2002

Eagle Communications, Inc.  
60 East 56<sup>th</sup> St.  
9<sup>th</sup> Floor  
New York, NY 10022

Filer 499 ID: 821256

Attn: Francesco S. Oliva

RE: Form 499-A Revision Rejection

The Universal Service Administrative Company (USAC) has completed a review of the Revised FCC Form 499-A that you submitted for the purpose of revising revenue reported by Eagle Communications, Inc. for the period January 1 – December 31, 2000. Based on the information provided, we are unable to accept the revision because it was not filed within one year of the original submission.

USAC recognizes that you may disagree with our decision. **If you wish to file an appeal, your appeal must be received no later than 60 days after the date of this letter.**

In the event that you choose to appeal the decision, you should follow these guidelines:

- Write a "Letter of Appeal to USAC" explaining why you disagree with this Revised Form 499-A Rejection letter and identify the outcome that you request;
- Mail your letter to:  
Letter of Appeal  
USAC  
2120 L Street, NW, Suite 600  
Washington, DC 20037
- Appeals submitted by fax, telephone call, and e-mail **will not** be processed.
- Provide necessary contact information. Please list the name, address, telephone number, fax number, and e-mail address (if available) of the person who can most readily discuss this appeal with USAC.
- Identify the "Legal Reporting Name" and "Filer 499 ID."

- Explain the appeal to the USAC. ~~Please~~ provide documentation to support your appeal.
- e Attach a photocopy of this Revised Form 499-A Rejection decision that you are appealing.

USAC will review all “letters of appeal” and respond in writing within 90 days of receipt thereof.

The response will indicate whether USAC:

- (1) agrees with your letter of appeal, and approves ~~an~~ outcome that is different from the Revised Form 499-A Rejection Letter; or
- (2) disagrees with your letter of appeal, and the reasons therefor.

If you disagree with the USAC response to your “letter of appeal,” you may **file an** appeal with the FCC within 60 days of the date USAC issued its decision in response to your “Letter of Appeal.” The FCC address where you may direct your appeal is:

Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Room TW-A325  
Washington, DC 20554

Please be sure to indicate the following information on all communications with the FCC:  
“Docket Nos. 96-45 and 97-21.”

**In** the alternative, you may write and send an appeal letter directly to the Federal Communications Commission (FCC), and bypass USAC. Your letter of appeal to the FCC must explain why you disagree with the USAC decision. You are also encouraged to submit **any** documentation that supports your appeal. The FCC rules **governing** the appeals process (Part 54 of Title 47 of the Code of Federal Regulations 54.719 – 54.725) are available on the FCC web site ([www.fcc.gov](http://www.fcc.gov)).

If you have questions or concerns regarding this letter, please contact Lisa Tubbs at (973) 884-8116 or Christy Doleshal at (973) 560-4426.

Sincerely,

§

**USAC**



60 East 56<sup>th</sup> Street, 9<sup>th</sup> Flr  
New York, NY 10022  
Tel: 212.758.3283  
Fax: 212.758.3453  
[www.eagletelco.com](http://www.eagletelco.com)

September 5, 2002

NECA  
80 South Jefferson Road  
Whippany, New Jersey 07981

To Whom It May Concern:

Attached is the revised FCC Form 499-A for the period of April 2000 through March 2001. The previous FCC Form 431 incorrectly reported the Local Exchange service revenues as Interstate Access. This revised **499-A** form correctly reports the Local Service and the Interstate revenues in the appropriate columns on line 511.

If you have any questions, I can be reached at 212.758.3283 ext. 3061

Sincerely,

Francesco S. Oliva  
Manager - Regulatory Affairs

Attachment

## 2001 FCC Form 499-A Telecommunications Reporting Worksheet

Approval by OMB  
3060-0855

&gt;&gt;&gt; Please read instructions before completing. &lt;&lt;&lt;

Annual Filing - due April 1.

Block 1: Contributor Identification Information During the year, carriers must refile blocks 1, 2 and 6 if there are any changes in Lines 104 or 112. See instructions.

101 Filer 499 ID (If you don't know your number, contact the administrator at (973)-560-4400.  
If you are a new filer, leave blank and a Filer 499 ID will be assigned to you.) 821258

102 Legal name of reporting entity

Eagle Communications, Inc.

103 IRS employer identification number

133512006

104 Name of telecommunications service provider is doing business as

105 Principal communications business (Check the one that best describes the reporting entity - see directions. Check one box only.)

- ☒ CAP/LEC ☐ Cellular/PCS/SMR (wireless telephony incl. by resale) ☐ Incumbent LEC ☐ Interexchange Carrier (IXC)  
☐ Limited Reseller ☐ Operator Service Provider (OSP) ☐ Paging & Messaging ☐ Payphone Service Provider  
☐ Prepaid Card ☐ Private Service Provider ☐ Satellite  
☐ Shared-Tenant Service Provider ☐ SMR (dispatch) ☐ Toll Reseller ☐ Wireless Data  
 If Other Local, Other Mobile or Other Toll is checked, ☐ Other Local ☐ Other Mobile ☐ Other Toll

Describe carrier type / services provided:

106 (olding company 2F (All affiliated companies should show same name here)

107 Registration Number (FRN) [ <https://gulfoss2.fcc.gov/cores/CoresHome.htm> or assistance, contact the CORES help desk at 877-480-3201 CORES@fcc.gov ]

08 Management company (if carrier is managed by another entity)

09 Complete mailing address of reporting entity's corporate headquarters

142 East 39th Street  
New York, NY 10018110 Complete business address for customer inquiries and complaints  
(if different from corporate headquarters)

111 Telephone number for customer inquiries and complaints (Toll-free number if available) ( ) -

112 All trade names that you have used in the past 3 years in providing telecommunications services. This should include all names by which you are identified on customer contracts.

b)

i)

c)

j)

d)

k)

e)

l)

f)

m)

Use an additional sheet if necessary. Each reporting entity must provide all names used for carrier activities.

IS MAKING WILLFULLY FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. 1001

FCC Form 499-A  
February 2001

## 2001 FCC Form 499-A Telecommunications Reporting Worksheet

Page 2

**Block 2-A: Personal Contact Information:**

201 Filer 499 ID [from Line 101]	821256
202 Legal name of reporting entity [from Line 102]	Eagle Communications, Inc.
203 Person who completed this worksheet	Francesco S. Oliva
204 Telephone number of this person	( ) - 212-758-3283 ext. 3061
205 Fax number of this person	( ) - 212-758-3453
206 E-mail of this person	foliva@eagle.net
207 Corporate office, attn. name, and mailing address to which future Telecommunications Reponing Worksheets should be sent	Eagle Communications, Inc. 142 East 39th Street New York, NY 10016
208 Billing address and billing contact person: (an administrators will send bills for contributions to this address. Please attach a written request for alternative billing arrangements.)	Same as Above

**Block 2-B: Agent for Service of Process**

All carriers must complete Lines 209 through 213

During the year, carriers must refile Blocks 1, 2 and 6 if there are any changes in this section. See instructions.

209 D.C. Agent for Service of Process per 47 U.S.C. 413	Corporation Service Company (CSC)
210 Telephone number of D.C. agent	800-927-9800
211 Fax number of D.C. agent	( ) -
212 E-mail of D.C. agent	
213 Complete business address of D.C. agent for hand service of documents	1090 Vermont Avenue, NW, 4th Floor Washington, DC 20005
214 Alternate Agent for Service of Process (optional)	
215 Telephone number of alternate agent	( ) -
216 Fax number of alternate agent	( ) -
217 E-mail of alternate agent	
218 Complete business address of alternate agent for hand service of documents	



# 2001 FCC Form 499-A Telecommunications Reporting Worksheet

Page 3

## Block 2-C: FCC Registration Information:

Carriers that provide interstate service must complete Lines 219 through 225. During the year, carriers must refile Blocks 1, 2 and 6 if there are any changes in this section. See Instructions.

219 Chief Executive Officer (or, a similar senior-level official if the filing entity does not have such a position) Kent Charugundia

220 Business address of individual named above & if same as Line 109 ☐

221 Chairman (or, a similar senior-level official if the filing entity does not have such a position or if the Chairman also is listed on Line 219) Kent Charugundia

222 Business address of individual named above check if same as Line 109 ☐

223 President (or, a similar senior-level official if the filing entity does not have such a position or if the President also is listed on Line 219 or on Line 221) Harold Maddnia

224 Business address of individual named above check if same as Line 109 ☒

225 indicate in which jurisdictions the filing entity provides telecommunications services. include jurisdictions in which service was provided in the past 15 months jurisdictions in which service is likely to be provided in the next 12 months.

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Alabama              | <input type="checkbox"/> Kentucky                 | <input type="checkbox"/> Ohio                |
| <input type="checkbox"/> Alaska               | <input type="checkbox"/> Louisiana                | <input type="checkbox"/> Oklahoma            |
| <input type="checkbox"/> American Samoa       | <input type="checkbox"/> Maine                    | <input checked="" type="checkbox"/> Oregon   |
| <input type="checkbox"/> Arizona              | <input type="checkbox"/> Maryland                 | <input type="checkbox"/> Pennsylvania        |
| <input type="checkbox"/> Arkansas             | <input type="checkbox"/> Massachusetts            | <input type="checkbox"/> Puerto Rico         |
| <input type="checkbox"/> California           | <input type="checkbox"/> Michigan                 | <input type="checkbox"/> Rhode Island        |
| <input type="checkbox"/> Colorado             | <input type="checkbox"/> Midway Atoll             | <input type="checkbox"/> South Carolina      |
| <input type="checkbox"/> Connecticut          | <input type="checkbox"/> Minnesota                | <input type="checkbox"/> South Dakota        |
| <input type="checkbox"/> Delaware             | <input type="checkbox"/> Mississippi              | <input type="checkbox"/> Tennessee           |
| <input type="checkbox"/> District of Columbia | <input type="checkbox"/> Missouri                 | <input type="checkbox"/> Texas               |
| <input checked="" type="checkbox"/> Florida   | <input type="checkbox"/> Montana                  | <input type="checkbox"/> Utah                |
| <input type="checkbox"/> Georgia              | <input type="checkbox"/> Nebraska                 | <input type="checkbox"/> U.S. Virgin Islands |
| <input type="checkbox"/> Guam                 | <input type="checkbox"/> Nevada                   | <input type="checkbox"/> Vermont             |
| <input type="checkbox"/> Hawaii               | <input type="checkbox"/> New Hampshire            | <input type="checkbox"/> Virginia            |
| <input type="checkbox"/> Idaho                | <input type="checkbox"/> New Jersey               | <input type="checkbox"/> Wake Island         |
| <input type="checkbox"/> Illinois             | <input type="checkbox"/> New Mexico               | <input type="checkbox"/> Washington          |
| <input type="checkbox"/> Indiana              | <input type="checkbox"/> New York                 | <input type="checkbox"/> West Virginia       |
| <input type="checkbox"/> Iowa                 | <input type="checkbox"/> North Carolina           | <input type="checkbox"/> Wisconsin           |
| <input type="checkbox"/> Johnston Atoll       | <input type="checkbox"/> North Dakota             | <input type="checkbox"/> Wyoming             |
| <input type="checkbox"/> Kansas               | <input type="checkbox"/> Northern Mariana Islands |  |

IS MAKING WILLFULLY FALSE STATEMENTS IN THIS WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. 1011

FCC Form 499-A  
February 2001

**Block 5: Additional Revenue Breakouts**

501 Filer 499 ID (from Line 101)

821256

502 Legal name of reporting entity (from Line 102)

Eagle Communications, Inc.

Filing entities that use Line 603 to certify that they are exempt from this requirement need not provide this information.

Percentage of revenues reported in Block 3 and Block 4 listed in each region of the country. Round or estimate to nearest whole percentage. Enter 0 if no service was provided in the region.

		Block 3 Common carrier (a)	Block 4 End-User Telecom. (b)
503	Southeast: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, and U.S. Virgin Islands	82 %	%
504	Western: Alaska, Arizona, Colorado, Idaho, Iowa, Minnesota, Montana, Nebraska, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming	0 %	%
505	West Coast: California, Hawaii, Nevada, American Samoa, Guam, Johnston Atoll, Midway Atoll.	0 %	%
506	Mid-Atlantic: Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania, Virginia, and West Virginia	0 %	%
507	Mid-West: Illinois, Indiana, Michigan, Ohio, and Wisconsin	3 %	%
509	Southwest: Arkansas, Kansas, Missouri, Oklahoma, and Texas	0 %	%
510	Total (Percentages must add to 0 or 100)	100 %	%

511 Revenues from resellers that do not contribute to Universal Service support mechanisms are included in Block 4, Line 420 but may be excluded from a filer's TRS, NANPA LNP, and FCC common carrier regulatory fee contribution bases. To have these amounts excluded, the filer has the option of identifying such revenues below.

Revenues from resellers that do not contribute to Universal Service

Total Revenues	Interstate and International
\$ 4,163,454.00	\$ 102,209.00

IS MAKING WILLFULLY FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. 1001

FCC Form 499-A  
February 2001

## 2001 FCC Form 499-A Telecommunications Reporting Worksheet

Page 7

Block 8 CERTIFICATION: to be signed by an officer of the filer

601 Filer 499 ID (from Line 101)

821256

602 Legal name of reporting entity (from Line 102)

Eagle Communications, Inc.

Section IV of the instructions provides information which types of reporting entities are required to file for which purposes. Any entity claiming to be exempt from one or more contribution requirements should so certify below and attach an explanation. [The Universal Service Administrator will determine which entities meet the de minimis threshold based on information provided in Block 4, even if you fail to so certify, below.]

603 I certify that the reporting entity is exempt from contribu

Universal Service

☐

TRS

☐

NANPA

☐

LNP ministration

☐

Provide explanation below:

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604 I certify that the revenue data contained herein are privileged and confidential and that public disclosure of such information would likely cause substantial harm to the competitive position of the company. I request nondisclosure of the revenue information contained herein pursuant to Sections 0.459.52.17, 54.711 and 64.604 of the Commission's Rules.

☐

I certify that I am an officer of the above-named reporting entity, that I have examined the foregoing report and, to the best of my knowledge, information and belief, all statements of fact contained in this Worksheet are true and that said Worksheet is an accurate statement of the affairs of the abovenamed company for the previous calendar year. In addition, I swear, under penalty of perjury, that all requested identification registration information has been provided and is accurate.

605 Signature



606 Printed name of officer

Harold Maddala

607 Position with reporting entity

President

608 Date

September 5, 2002

609 This filing is:

☐

Original filing

Revised filing

Do not mail checks with this form. Send this form to: Form 499 to NECA, 80 South Jefferson Road, Whippany New Jersey, 07981

For additional information regarding this worksheet contact: Telecommunications Reporting Worksheet information: (973) 560-4400 or via e-mail: Form499

ID MAKING WILLFULLY FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C.

FCC Form 499-A  
February 2001

## Franco Oliva

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**From:** Franco Oliva [foliva@eagle.net]  
**Sent:** Monday, September 09, 2002 3:08 PM  
**To:** jhender@neca.org  
**Subject:** Form 499-A Revised report 200 data pp. 4-5.xls



Form 499-A Revised

report 200 -

eff,

Attached missing pages 4-5 from Form 499-A reporting Eagle Communications, Inc., 2000 Revenues.

Any questions, please let me know.

Franco  
212.758.3283 ext 3061

## Franco Oliva

---

From: Jeff Henderson [JHENDER@neca.org]  
Sent: Monday, September 09, 2002 2:37 PM  
To: foliva@eagle.net  
Subject: RE: FCC Form 499A



499-A April 2001.xls

Frank:

Per your voicemail request, I am sending ages 4 & 5 of the 2001 FCC Form 2001 499A.

Please contact me with any questions.

Jeff Henderson  
National Exchange Carrier Association  
973.884.8261 Phone  
973.884.8469 Fax  
jhender@neca.org

>>> "Franco Oliva" <foliva@eagle.net> 09/04/02 11:42AM >>>  
Jeff,

Eagle Communications, Inc., is reporting April 2000 -March 2001 period.

Thank you,

Franco Oliva

-----Original Message-----

From: Jeff Henderson [mailto:JHENDER@neca.org]  
Sent: Wednesday, September 04, 2002 11:30 AM  
To: foliva@eagle.net  
Subject: RE: FCC Form 499A

What years revenue are you reporting? Would it be Jan-Dec 1999 or Jan-Dec 2000 billed revenues?

Jeff Henderson  
National Exchange Carrier Association  
973.884.8261 Phone  
973.884.8469 Fax  
jhender@neca.org

>>> "Franco Oliva" <foliva@eagle.net> 09/04/02 09:50AM >>>  
Jeff,

Thank you very much for your help. However, I need to re-file the 2000 data from the original Form FCC 431 -which revised FCC Form should I **use**?

Please, call me at 212.758.3283 ext. 3061

Thank you,

Franco Oliva  
Manager - Regulatory Affairs

-----Original Message-----

From: Jeff Henderson [mailto:JHENDER@neca.org]

■ ■  
Sent Tuesday, September 03, 2002 4:40 PM  
To: foliva@eagle.net  
Subject: FCC Form 499A

Mr. Oliva:

Attached is the requested FCC Form 499A for 2001 and 2002.

Thank you.

Jeff Henderson  
National Exchange Carrier Association  
973.884.8261 Phone  
973.884.8469 Fax  
jhender@neca.org

Jeff Henderson  
National Exchange Carrier Association  
973.884.8261 Phone  
973.884.8469 Fax  
jhender@neca.org

# 2001 FCC Form 499-A Telecommunications Reporting Worksheet

Page 4

## Block 3: Carrier's Current Revenue Information

301	Filer 499 ID [from Line 101]	821256			
302	Legal name of reporting entity [from Line 102]	Eagle Communications, Inc.			
January 1 through December 31, 2000		If breakouts are not book amounts, enter whole percentage estimates			
Do not report any negative numbers. Dollar amounts may be rounded to the nearest thousand dollars. However, report all amounts as whole dollars.		Total Revenues	Interstate	International	Breakouts
See instructions regarding percent interstate & international.		(a)	(b)	(c)	(d) (e)
Revenues from Services Provided for Resale by Other Contributors to Federal Universal Service Support Mechanisms					
<u>Fixed local service</u>					
303	Monthly service, local calling, connection charges, vertical features, and other local exchange service including subscriber line and PICC charges to IXC's				
a	Provided as unbundled network elements				
b	Provided under other arrangements				
304	Per-minute charges for originating or terminating calls				
a	Provided under state or federal access tariff				
b	Provided as unbundled network elements or other contract arrangement				
305	Local private line & special access				
306	Payphone communication from toll				
307	Other local telecommunications service revenues				
308	Universal service support revenues received from Federal or state sources				
<u>Mobile services (including wireless telephony, paging &amp; messaging, and other mobile services)</u>					
309	Monthly, activation, and message charges except toll				
<u>Toll services</u>					
310	Operator and toll calls with alternative billing arrangements (credit card, collect, international call-back, etc.)				
311	Direct-dialed MIS, customer toll-free 800/888 calls, associated monthly account maintenance, PICC, and other switched services not reported above)				
312	Long distance private line services				
313	Satellite services				
314	All other long distance services				

PERSONS MAKING WILLFULLY FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER

TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. §1001

FCC Form 499-A  
February 2001

# 2001 FCC Form 499-A Telecommunications Reporting Worksheet

Page 6

## Block 4: End-User and Non-Telecommunications Revenues Information

401	Filer 499 ID [from Line 101]	821256			
402	Legal name of reporting entity [from Line 102]	Eagle Communications, Inc.			
January 1 through December 31, 2000		If breakouts are not book amounts, enter whole percentage estimates			
Do not report any negative numbers. Dollar amounts may be rounded to the nearest thousand dollars. However, report all amounts as whole dollars.		Total Revenues	Interstate	International	Breakouts
See instructions regarding percent interstate & international.		(a)	(b)	(c)	(d) (e)
Revenues from All Other Sources (end-user telecom. & non-telecom.)					
403	Surcharges or other amounts on bills identified as recovering State or Federal universal service contributions				
<u>Fixed local services</u>					
404	Monthly service, local calling, connection charges, vertical features, and other local exchange service charges except for federally	\$ 4,163,454.00	2.4		\$ 102,209.00

	tariffed subscriber line charges and PICC charges					
405	PICC charges levied by a local exchange carrier on a no-PICC customer and tariffed subscriber line charges	0				
406	Local private line and special access service	0				
407	Payphone coin revenues	0				
408	Other local telecommunications service revenues	0				
<b>Mobile services (including wireless telephony, paging &amp; messaging, and other mobile services)</b>						
409	Monthly and activation charges	0				
410	Message charges including roaming, but excluding toll charges					
<b>Toll services</b>						
411	Prepaid calling card (including card sales to customers and non-carrier distributors) reported at face value of cards	0				
412	International calls that both originate and terminate in foreign points	0	0%	100%		
413	Operator and toll calls with alternative billing arrangements (credit card, collect, international call-back, etc.) other than revenues reported on Line 412	0				
414	Ordinary long distance (direct-dialed MTS, customer toll-free 800/888 service, "1U-1U" calls, associated monthly account maintenance, PICC pass-through, and other switched services not reported above)	0				
415	Long distance private line services	0				
416	Satellite services	0				
417	All other long distance services	0				
418	Enhanced services, inside wiring maintenance, billing and collection, customer premises equipment, published directory, dark fiber, Internet access, cable TV program transmission, and non-telecommunications service revenues (see instructions)	0				
419	Gross billed revenues from all sources (incl. reseller & non-telecom.) (Lines 303 through 314 plus Lines 403 through 418)	0				
420	Universal service contribution bases (Lines 403 through 411 & Lines 413 through 417)	\$ 4,163,454.00			\$ 102,209.00	

PERSONS MAKING WILLFULLY FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER TITLE 18 OF THE UNITED STATES CODE, 18 U.S.C. §1001

FCC Form 499-A  
February 2001



# 200 FCC Form 431 TRS Fund Worksheet.

Please read instructions before completing. Report actual amounts billed to customers and carriers during the year without subtracting uncollectibles or international settlement payments. Report revenues in whole dollars. Do not report negative amounts.

Approved by OMB  
3060-0536  
Avg. GL Burden Par  
Respondent: 2 Hrs.

## Block 1: Carrier Identification

TRS Company Coae

- 1 Legal name of carrier Eagle Communications, Inc.
- 2 IRS employer identification number 13-3512006
- 3 Name carrier is doing business as
- 4 Principal communications business (check the one that best describes filer - see instructions)
 

☐ Pay Telephone Service Provider

☐ Incumbent LEC ☒ CAP/CLEC

☐ Local Reseller

☐ Other Local

☐ SMR (dispatch)

☐ Cellular/PCS/SMR (wireless telephony)

☐ Paging & Messaging

☐ Wireless Data

☐ Other Mobile

☐ IXC

☐ Toll Reseller

☐ OSP

☐ Satellite

☐ Pre-paid Card

☐ Other Toll

If Other Local, Other Mobile or Other Toll is checked, describe carrier type below.

## Block 2: Carrier Revenue Data for Calendar Year 2000. Note: Please report whole dollars even if amounts are rounded.

Note: Enter a figure for all revenue elements. Enter a '0' if none.	Gross Telecommunications Revenues (a)	% Interstate (b)	Interstate Revenues (c)
<b>Local Services</b>			
5 Local exchange service	\$	%S	
6 Local private line service	\$	%S	
7 Mobile radio, cellular, paging & PCS	\$	%S	
8 Other Local	\$	%S	
<b>Access Services (only includes services that local exchange carriers provide to toll carriers under access tariffs)</b>			
9 Interstate access	\$ 4,163,454	100 %S	4,163,454
10 Intrastate access	\$	0 %S	
<b>Long Distance Services (most long distance revenue belongs on line 12)</b>			
11 Operator service, card & pay telephone	\$	%S	
12 Non-operator switched toll service	\$	%S	
13 Long distance private line service	\$	%S	
14 All other long distance	\$ 102,209	100 %S	102,209
15 Total lines 5 through 14	\$	\$	4,265,663

## Block 3: Calculation of Contribution

16 Interstate Revenues from line 15 c	\$	4,265,663
17 Contribution Rate:		0.00038
18 Total CONTRIBUTION for April 2000 through March 2001 (line 16 x line 17) (The minimum contribution is \$100. Do not enter less than \$100.)	\$	1,524
19 Contribution to W paid this month: (Enter the amount from line 18 if it is less than 51200. Otherwise, the contributor may divide the amount on line 18 by 12.0 to calculate equal monthly contributions.)	\$	
Check here for monthly billing reminders <input checked="" type="checkbox"/>		135
20 This filing is:	<input checked="" type="checkbox"/> Original filing <input type="checkbox"/> Revised filing	

Complete page 2

RTCH # PERSONS MAKING WILLFUL FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER THE COMMUNICATIONS ACT, 47 U.S.C. 220(e)

VO #  
GL # 2099 000-00-

FCC 431  
March 1999

# 1999 FCC Form 431 TRS Fund Worksheet

## Block 4: Additional Carrier Identification Information

TRS Company Code

- 21 Holding company (if two or more affiliates must file)
- 22 Management company (if carrier is managed by another entity)
- 23 Principal CIC code used for interexchange service
- 24 Complete mailing address of carrier corporate headquarters
- 25 Telephone # for customer inquiries

## Block 5: Contact Information

- 26 Name of contact person
- 27 Telephone number of contact person
- 28 Fax number of contact person
- 29 E-mail address of contact person
- 30 Complete mailing address of contact:  
(Filing information and future Telecommunications Relay Service Worksheets will be sent to this address.)
- 31 Billing address:  
(Bills for Telecommunications Relay Service contributions will be sent to this address.)

Annie Kwok  
(212) - 758-3283  
(212) - 751-8934  
akwok@earthlink.net  
60 E 56th St 9th Floor  
New York NY 10022  
same as above

## Block 6: CERTIFICATION: to be signed by an officer of the carrier

I certify that I am an officer of the above-named carrier, that I have examined the foregoing report and to the best of my knowledge, information and belief, all statements of fact contained in this Worksheet are true and that said Worksheet is an accurate statement of the affairs of the above-named carrier for the previous calendar year.

- 32 Signature
- 33 Printed name of officer
- 34 Position with carrier
- 35 Date
- 36 This filing is:

Annie Kwok  
Annie Kwok  
Accounting Manager  
10/15/01  
☒ Original filing ☐ Revised filing

Mail checks to: NECA TRS P.O. Box 360090 Pittsburgh, PA 15251-6090. For additional information call NECA 973-884-8173  
Mail worksheet and photocopy of checks to: NECA - FCC TRS Fund Administration 100 South Jefferson Rd. Whippany, NJ 07981

**PERSONS MAKING WILLFUL FALSE STATEMENTS IN THE WORKSHEET CAN BE PUNISHED BY FINE OR IMPRISONMENT UNDER THE COMMUNICATIONS ACT, 47 U.S.C. 220(e)**

**Notice:** Section 64.604(c)(4)(iii) of the Commission's Rules requires all carriers providing interstate telecommunications service to complete this worksheet and to contribute funding for interstate Telecommunications Relay Services (TRS). The collection of information and fees stems from the Commission's authority under the Communications Act of 1934, Sections 4, 48 Stat. 1066, as amended; 47 U.S.C. 154 unless otherwise noted. Interpret or apply Sections 201, 211, 218, 219, 220, 225, 48 Stat. 1073, 1077, as amended; 47 U.S.C. Sections 201, 211, 218, 219, 220, 225. The data in the report will be used to ensure that carriers properly fund interstate TRS. Selected information provided in the worksheet will be made available to the public in a manner consistent with the Commission's Rules. All carriers providing interstate telecommunications service must file this worksheet. Other telecommunications carriers may voluntarily file this worksheet.

**Remember -** You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid Office of Management and Budget (OMB) control number. This collection has been assigned an OMB control number of 3060-0536.

We have estimated that each response to this collection of information will take, on average, 2 hours. Our estimate includes the time to read the instructions, look through existing records, gather and maintain the required data, and actually complete and review the form or response. If you have any comments on this estimate, or how we can improve the collection and reduce the burden it causes you, please write the Federal Communications Commission, AMD-PERM, Washington, D.C. 20554, Paperwork Reduction Project (3060-0536). We also will accept your comments via Internet if you send them to jboley@fcc.gov. Please DO NOT SEND COMPLETED FORMS TO THIS ADDRESS.

The foregoing Notice is required by the Privacy Act of 1974, P.L. 93-579, December 31, 1994, 5 U.S.C. 552a(e)(3), and the Paperwork Reduction Act of 1995, P.L. 104-13, 44 U.S.C. Section 3501.

The Commission is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this form. We will use the information that you provide to determine contribution amounts. If we believe there may be a violation or potential violation of a statute or a Commission regulation, rule or order, your form may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation, or order. In certain cases, the information in your Form may be disclosed to the Department of Justice, court, or other adjudicative body when (a) the Commission; or (b) any employee of the Commission; or (c) the United States government, is a party to a proceeding before the body or has an interest in the proceeding.

If you owe a past due debt to the federal government, the taxpayer identification number (such as your social security number and other information you provide also may be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies, and/or your employer to offset your salary, IRS tax refund, or other payments to collect that debt. The Commission also may provide this information to those agencies through the matching of computer records where authorized.

With the exception of your social security number, if you do not provide the information we request on the Worksheet, the Commission may consider you in violation of section 64.604 of the Commission's rules. 47 C.F.R. Section 64.604.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Received by (Please Print Clearly) _____ B. Date of Delivery _____</p> <p>C. Signature <i>[Signature]</i> <span style="float: right;">\$ 7.002</span></p> <p><input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="margin-left: 20px;">If YES, enter delivery address below: _____</p>
<p>1. Article Addressed to:</p> <p style="text-align: center; font-size: 1.2em;">NECA</p> <p style="text-align: center;">80 SOUTH JEFFERSON ROAD</p> <p style="text-align: center;">WHIPPANY, NJ 07981</p> <p style="text-align: center; font-size: 1.2em;">% FORM 499</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label)</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>7002 0860 0006 2254 7595</p>	
<p>PS Form 3811, March 2001 Domestic Return Receipt 102595-01-M-1424</p>	

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
O F F I C I A L   U S E	
<p>Postage \$ .60</p> <p>Certified Fee 2.30</p> <p>Return Receipt Fee (Endorsement Required) 1.75</p> <p>Restricted Delivery Fee (Endorsement Required) —</p> <p>Total Postage &amp; Fees \$ 4.65</p>	<p style="text-align: center;">Postmark Here</p>
<p>Sent To NECA</p>	
<p>Street, Apt. No., or PO Box No. 80 SOUTH JEFFERSON ROAD</p>	
<p>City, State, ZIP+4 WHIPPANY, NJ 07981</p>	
<p>PS Form 3800, April 2002 See Reverse for Instructions</p>	



60 East 56<sup>th</sup> Street, 9<sup>th</sup> Flr  
New York, NY 10022  
Tel: 212.758.3283  
Fax: 212.758.3453  
[www.eagle1etelco.com](http://www.eagle1etelco.com)

March 11.2003

Universal Service Administrative Company  
2120 L Street, NW  
Suite 600  
Washington, DC 20037

To Whom It May Concern:

On September 19, 2002, Eagle Communications, Inc. ("ECI") wrote a letter of appeal to USAC regarding the rejection of Form 499-A Revision for the year 2000. ECI's letter was received by USAC on September 23<sup>rd</sup> – see postal receipt signed by Mr. A. Williams. As of today, I have not received an answer to the letter appeal. ECI is still receiving on a monthly basis invoices. As of February 2, 2003, the total amount is of \$154,154.36, including late payment fee.

Once again, I am appealing USAC's figure for the Universal Service Fund. This amount was based on incorrectly reported revenues. The true interstate amount should have been based on \$102,209.00 – the total interstate revenue for the year 2000. I am hoping for an expeditious resolution to this recurring problem.

My reach number is 212.348.7470 ext. 111 and my fax number is 212.348.0654.

Sincerely,

Francesco S. Oliva  
Manager – Regulatory Affairs  
[foliva@eagle.net](mailto:foliva@eagle.net).

Enclosure